

REMARKS

Claims 1-29 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-24, drawn to a method for the manufacture of patterned microparticles;

Group II, claims 25-29, drawn to a biologically modified patterned microparticle.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1-24.

The Examiner asserts that the claims of Group I and Group II do not have a common special technical feature and therefore do not relate to a single general inventive concept. Applicants respectfully request reconsideration of the special technical feature of the invention. Fujimoto et al. may teach patterned microparticles. However, the invention as claimed in Groups I and II is not directed simply to patterned microparticles. The microparticles of the invention are anisotropically, biologically modified patterned microparticles (see claim 25 and claim 11). As such, rejoinder of the claims of Group II is respectfully requested.

The Examiner has further required an election of species in the present application as follows:

a. Coating material

- i. inorganic nanoparticles
- ii. organic nanoparticles

b. Means of facilitating coating material flow

- i. gravity
- ii. electric field
- iii. magnetic field

c. Particle removal from membrane

- i. sonication

ii. dissolution of membrane

For the purpose of examination of the present application, Applicants elect the following species with traverse.

a. Coating material

i. inorganic nanoparticles

b. Means of facilitating coating material flow

i. gravity

c. Particle removal from membrane

i. sonication

There are only 2-3 species in each of the indicated three categories. As such, the total number of additional species is only four. Election of species is proper when it would be unreasonable for the Examiner to search the listed species in totality. Four additional species would clearly not be an undue burden. As such, search and examination of all the indicated species is requested. Applicants further request that should the Examiner not immediately rejoin the listed species, upon a finding of patentability over the prior art of the elected species the remaining species be rejoined and considered.

Claims 7-9, 18, and 23 are directed to the elected species. At least claims 1-6, 12, 14-17, 19, 21, and 22 are generic.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact MaryAnne Armstrong, Registration No 40,069 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

☒ Attached is a Petition for Extension of Time.

☒ Attached hereto is the fee transmittal listing the required fees.


Application No.: 10/524,411

Docket No.: 1377-0199PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 
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